

**Virginia Commission on Youth
Study of Truancy and School Dropout Prevention
Advisory Group**

TRUANCY SUBCOMMITTEE

General Assembly Building
5 East Conference Room
October 8, 2008
10:00 a.m.

AGENDA

Attending:

Delegates Robert Brink, William Fralin (electronic participation), and Frank Hall; Senator Yvonne Miller

Katherine Farmer, Nancy Halstead, Janet Van Cuyk, Otissa Williams, Sarah Geddes, Tony Roper, Tracey L. Jenkins, Kitty Boitnott, Cynthia Cave and Suzanne Devlin

Monitored:

Otis Dowdy, Robert Ransome and Arlene Cundiff

Absent:

Nancy Halstead, Asia Jones, Patrick Lacy, Melissa Nehrbass and Bet Neale

Staff Attending:

Amy M. Atkinson, Leah Hamaker and Cordell Hairston

I. Welcome and Introductions

Amy M. Atkinson, Executive Director

Ms. Atkinson called the meeting to order at 10:00 a.m. Ms. Atkinson welcomed everyone to the Truancy Subcommittee and reviewed the meeting's agenda.

II. City of Richmond Truancy Initiatives

Sandra Martin, Interim Deputy Director of Juvenile Justice Services

Angela Jones, Coordinator, Truancy Assessment Center

Larry Everett, Specialist, Truancy, Safe & Drug-Free Schools

Ms. Martin presented the Juvenile Justice Services' initiatives in dealing with truancy in Richmond. Ms. Jones and Mr. Everett discussed Richmond Public Schools' efforts to curb truancy.

III. Preliminary Findings and Proposed Recommendations

Advisory Group Discussion

Ms. Atkinson gave an overview of the Study of Truancy and Dropout Prevention draft. Subsequently, Ms. Atkinson provided the Truancy Subcommittee an opportunity to comment on the Commission's truancy findings and recommendations.

Note: Truancy Subcommittee comments are in blue.

Finding – Disciplinary laws allow youth to be “on the streets” when suspended or expelled.

Recommendations

1. Require suspended or expelled youth to carry identification.
2. Encourage schools to refer youth to alternative education programs in all but the most severe disciplinary circumstances.
3. Encourage schools to utilize suspension or expulsion only for most dire disciplinary infractions
4. Request the Virginia Department of Education (VDOE) to offer guidance in the *Model Code of Student Conduct* to school divisions regarding imposition of suspensions or expulsions on students for instances of tardiness or attendance. (This recommendation was received from the Alternative Education Advisory Group)
5. Write a letter to the Virginia Chamber of Commerce, as well as local chambers, encouraging local businesses to not serve anyone under the age of 18 during school hours.

The Subcommittee requested that Recommendation One be removed. The Subcommittee would like to add “tardy” and remove “*Code of Student Conduct*” from Recommendation Four, and remove recommendation Five. One Subcommittee member suggested using the Suzanne’s Program, which is a grant used to encourage state work involving suspended children in the juvenile justice system with non-profit organizations. The City of Richmond has a Day-Reporting Program for court involved children.

Finding – Judicial involvement is inconsistent between localities.

Recommendations

1. Request the Virginia Supreme Court to issue written guidance pertaining to judicial involvement.
2. Request the VDOE to issue written guidelines to school divisions regarding best practices for appropriate coordination between juvenile courts and schools.
3. Request that best practice guidelines be developed and disseminated to juvenile and domestic relations courts for the establishment of truancy dockets.

Subcommittee members would like to get the Chief Justice of the Virginia Supreme Court involved and to look into additional resources, as well as other costs and options. Subcommittee members also requested a letter to the Chief Justice.

Finding – Options available to initiate judicial involvement are limited. In order to have judicial involvement, schools must file a child in need of services (CHINSup) petition with the Court.

Recommendation

1. Introduce legislation to allow schools to petition for judicial involvement without filing a CHINSup petition.

In the *Finding* statement, the Subcommittee requested to change “services” to “suspended.” Subcommittee members expressed caution in advocating penalties for truants and suggested a Workforce Council to assist in truancy cases.

Finding – There is a lack of information sharing that prevents law enforcement

from adequately tracking students. Existing statutes addressing information sharing between Court Service Units and law enforcement are unclear.

Recommendations

1. Introduce legislation to amend Section 16.1-300, Section A, 6 of the *Code of Virginia* to remove “by order of the court.”
2. Introduce legislation to amend Section 16.1-301, Section D of the *Code of Virginia* to specify that Court Service Units may release records to law enforcement for current investigation purposes only.
3. Introduce legislation to amend Section 16.1-305, Section A of the *Code of Virginia* to include law enforcement as a party having legitimate interest.
4. Request that impacted state agencies, including the Department of Education, the Department of Criminal Justice Services and the Department of Juvenile Justice, create training/online training modules to help clarify confidentiality provisions which exist between schools, court service units and law enforcement.

The Subcommittee indicated that it could endorse Recommendation 4 and perhaps Recommendations 2 and 3. Commission staff said they would speak with Legislative Services about drafting a bill that would address all concerns. In addition, this letter would be shared with the full Advisory Group.

Finding – There is no referral process between school divisions for students who transfer with existing truancy issues.

Recommendations

1. Establish guidelines for schools to transmit data on a transferring student’s school attendance to the receiving school division.
2. Introduce legislation allowing schools to include all previous truancy proceedings in the transferring student’s records to the receiving school division.
3. No action needed because of recent policies implemented by VDOE.

The Subcommittee heard the three recommendations without comment.

Finding – Parents are contributors to the child not attending school. Accountability is frequently lacking. Schools can only do so much to encourage a child to attend school but the responsibility is ultimately with the parent.

Recommendation

1. Introduce legislation that charges parents of persistently truant youth with a Class 4 Misdemeanor, at the discretion of the juvenile and domestic relations court.

Subcommittee members stated the following: Virginia has uneven services and will need additional mobilized volunteers to recommended potential services; PTA’s could explain legislation to parents; providing mentors; and finding alternative methods to engage parents. Commission staff will meet with parents and youth facing these issues.

IV. Adjourn

The meeting adjourned at 12:30 p.m.

